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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 FREDERICK LOUIS WARD,)

3:12-cv-00116-LRH (WGC)

9 Plaintiff,)

REPORT & RECOMMENDATION
OF U.S. MAGISTRATE JUDGE

10 vs.)

11 UNITED STATES DISTRICT COURT)
12 FOR THE DISTRICT OF NEVADA)

13 Defendant.)
14 _____)

15 This Report and Recommendation is made to the Honorable Larry R. Hicks, United
16 States District Judge. Before the court is Plaintiff's application for leave to proceed in forma
17 pauperis (Doc. # 1).¹

18 Attached to Plaintiff's application are various documents relating to a petition for writ
19 of mandamus. It appears that Plaintiff intended to file his application for leave to proceed in
20 forma pauperis, petition for writ of mandamus, and supporting documentation with the Ninth
21 Circuit Court of Appeals, and not the United States District Court for the District of Nevada.
22 Accordingly, the court recommends that Plaintiff be given the opportunity to withdraw his
23 application and file it in the proper tribunal. Accordingly, Plaintiff's application to proceed
24 in forma pauperis herein should be **DENIED**.

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¹ Refers to court's docket number.

1 The parties should be aware of the following:

2 1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the
3 Local Rules of Practice, specific written objections to this Report and Recommendation within
4 fourteen (14) days of receipt. These objections should be titled "Objections to Magistrate
5 Judge's Report and Recommendation" and should be accompanied by points and authorities
6 for consideration by the District Court.

7 2. That this Report and Recommendation is not an appealable order and that any
8 notice of appeal pursuant to Rule 4(a)(1), Fed. R. App. P., should not be filed until entry of the
9 District Court's judgment.

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11 DATED: April 30, 2012.

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14 WILLIAM G. COBB
15 UNITED STATES MAGISTRATE JUDGE
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